

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ADVANCED CARDIOVASCULAR)
SYSTEMS, INC. and GUIDANT SALES)
CORPORATION,) C. A. No. 98-80 (SLR)
) (Consolidated with C.A. No. 98-314 (SLR)
Plaintiffs,) and C.A. No. 98-316 (SLR))
)
v.)
)
MEDTRONIC VASCULAR, INC. and)
MEDTRONIC USA, INC.,)
)
Defendants.)
)

**NOTICE OF NAME CHANGE OF PLAINTIFF ADVANCED CARDIOVASCULAR
SYSTEMS INC. AND UNOPPOSED MOTION TO SUBSTITUTE ABBOTT
LABORATORIES INC. FOR PLAINTIFF GUIDANT SALES CORPORATION**

Plaintiffs hereby notify the Court of the change of the name of plaintiff Advanced Cardiovascular Systems, Inc. (“ACS”) to Abbott Cardiovascular Systems Inc. and move the Court to substitute Abbott Laboratories Inc. for plaintiff Guidant Sales Corporation (“GSC”). In support thereof, Plaintiffs state as follows:

1. As explained in Plaintiffs' Rule 7.1 submission (D.I. 706), effective April 21, 2006, Guidant Corporation and its subsidiaries sold all right, title, and interest in their vascular intervention and endovascular solutions businesses to Abbott Laboratories. Thereafter, the remaining businesses of Guidant Corporation (such as the Cardiac Rhythm Management business, which sells ICDs and pacemakers), were sold to Boston Scientific Corporation.

2. As part of the April 21, 2006, transaction, plaintiff ACS became a wholly-owned subsidiary of Abbott Vascular Inc., which is in turn a wholly-owned subsidiary of Abbott Laboratories.

3. Also as part of the April 21, 2006, transaction, Abbott Laboratories Inc. acquired all of GSC's assets relating to vascular intervention (e.g., stents), including all claims, causes of action, choses in action, rights of recovery and rights of set-off of any kind (including all damages and payments for past, present, or future infringement or misappropriation of intellectual property).

4. Thus, with respect to this lawsuit, Abbott Laboratories Inc. is, in all respects, GSC's successor in interest.

5. Furthermore, on January 18, 2007, ACS officially changed its name to Abbott Cardiovascular Systems Inc.

In light of the above, plaintiffs move this Court to replace GSC with Abbott Laboratories Inc. as a plaintiff in this case. Medtronic states that it does not have sufficient knowledge or information to attest to the facts recited above, and thus does not join in them. Medtronic, however, does not oppose this motion. Plaintiffs further notify the Court that the caption should be updated to reflect ACS's new name.

A proposed Order consistent with the above is attached.

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Dated: June 26, 2007


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**UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE**


CERTIFICATE OF SERVICE

I hereby certify that on June 26, 2007, I caused to be served by hand delivery the foregoing document and electronically filed the same with the Clerk of Court using CM/ECF which will send notification of such filing(s) to the following:

Karen Jacobs Loudon, Esquire
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I hereby certify that on June 26, 2007, I have sent by Federal Express the foregoing document to the following non-registered participants:

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